



Dkt. 07163

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Group Art Unit: 3733

OLIVIER CARLI

Examiner: N. Woodall

Serial No.: 10/520,961

MAIL STOP PETITION

Filed: October 25, 2005

For: BONE ANCHORING DEVICE WITH SPHERICAL ARTICULATION

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Honorable Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to an Office Action mailed August 7, 2006. The date of abandonment is the day after the expiration date of the period set for reply in the Office Action plus any extensions of time actually obtained.

Applicant hereby petitions for revival of this application.

Enclosed herewith are (1) the petition fee; (2) a reply to the Office Action; (3) a statement that the entire delay was unintentional; and (4) a revocation and appointment of attorneys.

A terminal disclaimer is not required.

(1) Applicant claims small entity status. The small entity fee of \$770.00 is paid by credit card (Form PTO-2038).

(2) An Amendment in response to the Office Action of August 7, 2006 is submitted herewith.

(3) STATEMENT: The entire delay in filing the required

01/02/2008 LRGUTEN2 00000002 10520961

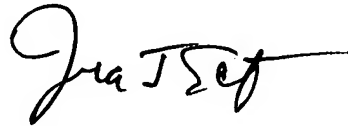
01 FC:2453

770.00 0P

reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

(4) A power of attorney in this application has been granted by an officer of the assignee.

Respectfully submitted,



Ira J. Schultz
Registration No. 28666
Attorney for Applicant
(703)837-9600, ext. 23